Case 1:19-cv-11361-VEC Document 58 Filed 11/17/20

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<u>ORDER</u>

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

JOSH FEIERSTEIN, individually and on behalf of: all others similarly situated Plaintiff, :

-against- : 19-CV-11361 (VEC)

CORREVIO PHARMA CORP., MARK H.N. CORRIGAN, WILLIAM HUNTER, JUSTIN A. RENZ,

Defendants.

VALERIE CAPRONI, United States District Judge:

WHEREAS on September 3, 2020, Lead Plaintiffs filed an unopposed motion for the preliminary approval of a settlement and approval of dissemination of notice to the settlement class, Dkt. 53;

WHEREAS the Court will conduct the fairness hearing on Friday, May 14, 2021, at 2:30 P.M. and the parties will be expected to appear in person, but the notice to objectors should inform objectors that they may participate in the hearing by conference call, using the call in number 1-888-363-4749, access code 3121171, and security code 1361;

WHEREAS on November 9, 2020, the Court ordered the parties to submit revised versions of certain documents, Dkt. 56; and

WHEREAS the parties complied with this Order, Dkt. 57;

IT IS ORDERED that by no later than **Thursday, November 19, 2020**, the parties must submit a revised version of the Notice of (I) Pendency of Class Action and Proposed Settlement; (II) Settlement Fairness Hearing; and (III) Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, Exhibit A-1, Dkt. 57-1 at 1–21, that includes the following revisions:

1. Fills in the blanks in the document in line with the dates in the revised Proposed Order,

Ex. A, Dkt. 57-1 at 60–73.

2. After the sentence "If you submit a written objection, you may (but you do not have to)

attend the hearing and, at the discretion of the Court, speak to the Court about your

objection." in the third box on page 4, add the following: "Members of the Settlement

Class who object may remotely participate in the hearing by calling 1-888-363-4749,

access code 3121171, and security code 1361. In your written objection, you must

include the phone number you will be calling from so the Court may grant you speaking

privileges."

3. Changes the sentence in paragraph 68 on page 18 from "Call in number 1-888-363-4749,

access code 3121171, and security code 1361." to "Settlement Class Members who wish

to remotely participate or otherwise attend the Settlement Hearing may do so by calling

1-888-363-4749, access code 3121171, and security code 1361."

4. Before the sentence "Persons who intend to object and desire to present evidence at the

Settlement Hearing must include in their written objection or notice of appearance the

identity of any witnesses they may call to testify and exhibits they intend to introduce

into evidence at the hearing." in paragraph 72 on page 19, add "If you wish to be heard

orally at the hearing, you must include the phone number you will be calling from in your

written objection, so the Court may grant you speaking privileges."

SO ORDERED.

Date: November 17, 2020

New York, New York

VALERIE CAPRONI

United States District Judge

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